

(See [Fed. R. Civ. P. 7](#))

LR 7-1 Motions Practice - Generally

(a) Certification Requirements

(1) Except for motions for temporary restraining orders, the first paragraph of every motion must certify that:

(A) The parties made a good faith effort through personal or telephone conferences to resolve the dispute and have been unable to do so; or

(B) The opposing party willfully refused to confer; or

(C) The moving party or opposing party is a prisoner not represented by counsel.

(2) The Court may deny any motion that fails to meet this certification requirement.

(3) A party filing a motion should state "UNOPPOSED" in the caption if the other parties to the action do not oppose the motion.

Practice Tips

1.

The certification requirements of [LR 7-1\(a\)\(1\)](#) or [LR 7-1\(a\)\(2\)](#) are not intended to establish

2.

In cases in which one or more parties are proceeding pro se, counsel should

(b) Separate Documents

Motions may not be combined with any response, reply, or other pleading.

(c) Supporting Memoranda (See [Fed. R. Civ. P. 7\(b\)](#))

Every motion must be accompanied by a separately filed legal memorandum. A legal memorandum exceeding twenty (20) pages must have a table of contents and a table of cases and authorities with page references.

(d) Limitations on Oral Argument

(1) Court Hearing: The Court will decide each motion without oral argument unless the Court determines that oral argument would help it resolve the matter. If the Court elects to hear oral argument, the Court will notify the parties of the date and time for any hearing.

(2) Request for Oral Argument: A party seeking oral argument must include "Request for Oral Argument" on the last line of the caption to the motion or response.

Example Plaintiff Smith Corporation's
MOTION FOR PROTECTIVE ORDER
Pursuant to Fed. R. Civ. P. 26(c)(1)
Request for Oral Argument

(3) Oral Argument by Telephone Conference: A party may request that oral argument be by telephone conference.

(4) Waiver of Oral Argument: A party waives oral argument by:

(A) Failing to timely file any memorandum or other statement required by [LR 7](#) , [LR 26](#) , [LR 37](#) ,
or
[LR 56](#)

; or

(B) Filing late any paper allowed by LR 7, [LR 26](#) , [LR 37](#) , or [LR 56](#) .

(e) Time Limits for Motions Other Than Motions Filed Pursuant to Fed. R. Civ. P. § 56

(1) Response: A party must file and serve any response within fourteen (14) days after service of the motion.

(2) Reply: A party must file and serve any allowable reply to the response within fourteen (14) days after service of the response. (See [LR 26-3\(c\)](#)).

Practice Tip

A reply is not permitted [in some cases](#) unless otherwise directed by the Court, and, [in some cases](#), only a reply is permitted.

(3) Other Memoranda: Unless directed by the Court, no further briefing is allowed.

(4) Taking Under Advisement: Unless otherwise directed by the Court, both discovery and non-discovery motions will be taken under advisement at the close of the time limits set forth in [LR 7-1\(e\)](#).

(f) Time Limits for Motions Filed Pursuant to Fed. R. Civ. P. § 56

(1) Response: Unless otherwise ordered by the Court, a party must file and serve any response within twenty-one (21) days after service of the motion.

(2) Reply: Unless otherwise ordered by the Court, a party must file and serve any reply to the response within fourteen (14) days after service of the response. (See [LR 26-3\(c\)](#)).

(3) Other Memoranda: Unless directed by the Court, no further briefing is allowed other than the briefing allowed under [LR 56-1\(g\)](#) .

(g) Request for Expedited Hearing

A party seeking expedited hearing must include "EXPEDITED HEARING REQUESTED" on the last line of the document's title, *e.g.*,

Example Plaintiff Smith Corporation's
MOTION FOR PROTECTIVE ORDER Pursuant to Fed. R. Civ. P.26(c)
Expedited Hearing Requested

(h) Reminders to the Court (See [LR 83-13](#))

LR 7-2 Non-Discovery Motions

(a) Document Designation (See [LR 10-2](#))

The document title must substantially comply with the following format:

Example Defendant ABC Corporation's
MOTION FOR SUMMARY JUDGMENT

(b) Page Limits

Without prior Court approval, memoranda, (including objections to a Findings and Recommendation of a Magistrate Judge and responses to such objections) must be 35 pages or less exclusive of table of contents, table of cases and authorities, and exhibits.

(c) Calendaring (See LR 7-1(d)(1) and LR 7-1(e)(4))

LR 7-3 Discovery Motions (See [LR 26-3](#)).

LR 7-4 Preliminary Injunctions & Temporary Restraining Orders (
See

[LR 65](#)

)

LR 7-5 Motions for Summary Judgment (See [LR 56](#))

LR 7-6 Motions to Consolidate Complex or Related Cases (See

[LR 42](#)

)

Amendment History to LR 7

June 1, 2002

LR 7.1(a)(1) Motions for Temporary Restraining Orders specifically excluded.

LR 7.1(a)(1)(c) New Rule.

LR 7.1(b) New Rule.

Subsequent rules renumbered.

LR 7.2(b) The phrase "(including objections....)" added.

June 1, 2006

Generally The word "brief" and "briefs" stricken and replaced with "memorandum" or "r

Cross References updated

Document Title examples modified throughout.

"Advisory Note" changed to "Practice Tip".

LR 7.1(a)(3) New Rule.

Item #2 added to Practice Tip

LR 7.1(c) The word "Affidavit" stricken from the heading title.

The sentence beginning "A legal memorandum...." added.

LR 7.1(d) Deleted this section and moved it to LR 7.1(c).

Subsequent sections re-lettered.

LR 7.1(e) Deleted this section. Subsequent sections re-lettered.

LR 7.3 Sections (a), (b) and (c) deleted and moved to LR 26.5.

LR 7.5 Text portion of rule deleted.

December 1, 2009

LR 7-1(e) The phrase "Other Than Motions Filed Pursuant to Fed. R. Civ. P. 56" subst

Practice Tip added.

LR 7-1(f) Added to address time limits for motions filed pursuant to Fed. R. Civ. P. 56.

LR 7-2(a) The word "must" substituted for "shall."

LR 7-3 Removed the reference to Fed. R. Civ. P. 37.

Generally Changed time limits to multiples of seven; and in LR 7-1(f) separate time lim